

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

NEW ORLEANS, LOUISIANA

January 27, 1981

FORMAL
BOARD MEETING

Chairman J. C. "Sonny" Gilbert, presiding.

Members Present:

Mr. J. C. Gilbert, Chairman
Mr. Charles A. Riggs, Vice Chairman
Mr. Wayne Ducote, Member
Mr. James C. Farrelly, Member
Mr. Jesse M. Knowles, Member
Mr. M. Bobby Orgeron, Member
Mr. Donald F. Wille, Member

Members absent:

None

Also present:

Mr. Jesse J. Guidry, Secretary

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Chairman Gilbert called the regular monthly Commission Meeting to order.

Chairman Gilbert introduced the new Secretary, Mr. Jesse J. Guidry, of Cecelia, Louisiana. He said Mr. Guidry served for quite a number of years in the Louisiana Legislature and was Chairman of the Natural Resources Committee. The Commission was delighted to have him as Secretary and looked forward to working with him.

Chairman Gilbert announced that Ray Montet had been appointed Chief of Enforcement and said it was an honor due Ray.

Chairman Gilbert said the Commission was delighted to have Pie Pendley back. She has been on sick leave for several months and is a valuable assistant to the Commission and the Department.

Mr. Wille moved that the minutes of the December 16th meeting be approved. Seconded by Mr. Riggs. Motion passed.

Mr. Jesse Knowles said on September 4, 1974, following a very tragic accident on Lake Pontchartrain Causeway, the

Department of Wildlife and Fisheries announced plans for an interim patrol while plans were being formulated for radar and electronics systems that would be installed to monitor all barge and tug traffic in the vicinity of the Causeway.

The Department's involvement in Causeway Patrol followed a meeting called by former Governor Edwin Edwards. A patrol boat was assigned the task of patrolling on a twenty-four hour basis. The amount the Department has spent for Causeway patrol is: 1975-76 - \$113,848; 1976-77 - \$128,602; 1977-78 - \$139,752; 1978-79 - \$148,199; 1979-80 - \$170,794; 6 months to 12/31/80 - \$116,312; amount budgeted for 1981-82 - \$291,000.

There is an additional \$100,000 requested in the budget for an early warning radar system, Loran, to assist in monitoring Lake Pontchartrain during period of inclement weather or fog when the patrol boat is unable to operate in the lake.

Mr. Knowles asked the Commission by resolution to call upon the Greater New Orleans Expressway Commission, Governor Dave Treen and Members of the Louisiana Legislature to determine a permanent and proper warning system for the traveling public, for protection of the Causeway to establish an agency involved in public safety and marine regulations as a patrolling authority if it is deemed necessary to patrol the lake on a permanent basis.

Mr. Knowles also asked that the Louisiana Wildlife and Fisheries Commission petition the administration of the State of Louisiana to be relieved of the responsibility for patrolling the Lake Pontchartrain Causeway.

Mr. Knowles moved that the resolution be adopted. It was seconded by Mr. M. Bobby Orgeron.

Mr. Earl Broom, General Manager of the Causeway Commission, asked if this was a recommendation to the Governor and if this was just a recommendation, he could give a more detailed report to the Governor at a later date.

Mr. Broom said regarding the Loran system, another engineering firm studied it and they recommended that the Coast Guard implement this. The Coast Guard had money appropriated for this but they have done nothing because they say it will set a precedent if they did.

Mr. Broom said, after being asked by Mr. Ducote, that the Coast Guard has not cooperated with him in any fashion whatsoever for the protection of the bridge. They say they have no facilities, no manpower, and no money allocated for that type of service.

Mr. Ducote asked Mr. Broom if this was removed from the Wildlife and Fisheries, would they have the funds to man such a vessel to patrol the Causeway.

Mr. Broom answered that they could not come up with that kind of money.

Mr. Don Wille said the Loran was an excellent early warning system. The system could be set up with lights on the bridge when any section of the bridge is tampered with and would just stop all the traffic on the bridge. Any time any of the circuits are broken, it immediately shows up on a master board and all traffic is stopped.

Chairman Gilbert pointed out to Mr. Broom that the chart showed his revenues for the past year was over 4 million dollars, the amount customarily taken during a year.

Mr. Broom replied that the 4 million dollars in revenue came from the license plate fund primarily.

Mr. Warren Pays, CPA, Auditor for the Causeway Commission, said they take in approx. 4 million dollars in tolls. The tolls pay the operations of the bridge, the Police Department, and everything else. In addition to that, they receive money from the State Highway, Fund No. 2, which is used for bond indebtedness, to retire the bonds. The schedule for retirement of the bonds is 2006. They also have a reserve maintenance fund in case something should happen to the bridge.

Mr. Knowles told Mr. Broom that he was not trying to cause a great problem with the Causeway Commission. He said he was doing a good job because any time you can retire bonds ahead of time, you have an efficient operation. Mr. Knowles said he personally felt the responsibility for the Causeway is their responsibility and they were taking in money which could operate the early warning system. Mr. Knowles further stressed that he wanted a safe passage across the Lake Pontchartrain Causeway for the public.

Mr. Knowles asked Mr. Broom to send him a copy of the GSRI Report.

Mr. Farrelly asked Mr. Broom if there have been any other studies other than Loran C which does not involve the Coast Guard.

Mr. Broom answered not to his knowledge. The first two studies was more in line with safety and it was recommended

that engineering be applied to these reports and come up with a system. The Loran C was the best system they could come up with. He thought that the expenses for the Wildlife and Fisheries boat for one year might pay to put the Loran C System in.

Mr. Jesse Guidry, Secretary, said he thought they understood one another in that our main goal is to protect the lives of the people using the Causeway. He said the Expressway Commission had funds and would he agree to maintain the Loran C System and set aside funds to buy another when necessary. He asked Mr. Broom if he had funds to do that.

Mr. Broom said he could not speak in terms of what the Commission would decide.

Mr. Jesse Guidry asked the rate of interest on the bonds they were retiring. He thought they must be reasonable in view of the present-day rates.

Mr. Broom replied there were two different rates: 4.9% and 5%.

Mr. Guidry said maybe we shouldn't pre-retire those bonds. He asked how long have we been trying to put a Loran C System in and why have we not put one in.

Mr. Broom said the Commission feels that the controlling of the marine traffic on the lake does not lie in their responsibility. The motoring traffic going across the bridge is their problem. The vessels in the lake belong to the Coast Guard and they don't want to take on the responsibility and is not their obligation.

Mr. Guidry said it was red tape then and a hassle between two government agencies and the people suffer--the same old story. We should be cooperating and working to give the people the kind of protection they think they have. We know they don't have it. The Loran C System would give them that protection.

Mr. Guidry said in 1978 a letter from the Coast Guard was written to Governor Treen, a congressman at that time, stating the system was available and ready to be put in. A schedule was given in that it would be put in operation in October of 1979.

Mr. Guidry read a letter sent to Senator Johnston by the Commandant of the Coast Guard dated March 20, 1980. In essence, it read that they have been unable to resolve the problems associated with the operation of Lake Pontchartrain Loran C System. The major obstacle has been lack of agreement with the

Greater New Orleans Expressway Commission as to their accepting ownership of this system after they complete designing, implementing and testing.

Mr. Guidry asked Mr. Broom did he say the cost was reasonable for operating this system.

Mr. Broom replied that it would be reasonable with the intention that the Coast Guard would do it using their computer.

Mr. Guidry read further that the Coast Guard said the proposal would enhance vehicular safety on the Causeway. While some improvement in the marine commerce is envisioned, the Coast Guard would not normally establish and operate a system on Lake Pontchartrain. They have been ready since 1978 to develop and implement a system that will provide timely warning for motor vehicles in the event of potential danger to the Causeway and people using it. Implementation of the system depends on their reaching an agreement with the authority who must assume future maintenance, improvements, and eventual replacement of the system. If technical assistance was needed in the future, they would be glad to help.

Mr. Guidry said it came down to one thing and that was the Expressway Commission's lack of desire to operate a Loran C System.

Mr. Broom said the position of the Commission was that they were not in the business of telling the public what to do and monitor them and so forth. He said it was the responsibility of the Coast Guard.

Mr. Ducote asked if there would be an early warning device on the vessels as well as on the bridge. Mr. Broom answered that the only warning on the bridge would be a telephone on the bridge from the Coast Guard computer room saying they have exhausted all means of changing a vessel's course and give the point of impact.

Mr. Ducote asked if there would be a system on the bridge where red lights or stop lights would go into effect electronically if a boat were to be on a collision course. He said there should be a notification on the boat as well as on the Causeway where red lights could be manually operated to notify motorists.

Mr. Broom said they have looked into this type of thing. There are 48 miles of bridge and that many lights, that many contact points, corrosion of salt water, it would be impossible to say that it would work all the time. They feel the engineering study where you have humans you are talking to on the radio, you can get them out there in ample time.

Mr. Broom said the Commission feels that it is not their responsibility to govern, regulate and monitor boat traffic. It should be the Coast Guard. Once they notify them of any damage or any alarms, then they take it from there.

Mr. Ducote said that while some feel that it may not be the Expressway Commission's responsibility, the Wildlife and Fisheries Commission should not be charged with that responsibility either. If there is a suitable system that can be worked out and installed, it would probably be safer than the boat out there now. The Commission wants to help implement the installation of the system.

Mr. Ducote said the only question left to be answered was whether or not the Expressway Commission wanted to maintain it. He said the maintenance shouldn't be expensive. Once a system is established, the maintenance of it and replacement of it may be less than expected, and also less than the operation of a boat.

Mr. Ducote said he would want to help with the installation of this system if for no more than economic reasons. The Commission could save money by helping the Expressway Commission pay for the Loran C and pay for some of the maintenance a lot cheaper than keeping a boat for this purpose and would be a better system.

Mr. Don Wille pointed out to Mr. Broom that if he would look into the matter of insurance premiums it may be that the cost would drop enough to offset the cost of installing and maintenance of the system.

Mr. Broom said he doubted that.

Mr. Wille said someone has to take responsibility because ours is a temporary responsibility and one way or another it is going to expire. He said we need to delegate the responsibility and if it takes the Governor to do it, maybe this resolution will do it. Mr. Wille told Mr. Broom that if he is delegated this responsibility then he would have to do it.

Mr. Jesse Knowles offered the resolution for adoption. Chairman Gilbert asked if there was any objection to the resolution and hearing none, the motion passed.

Mr. Knowles presented a resolution concerning the possible use of warning violation tickets by the Wildlife and Fisheries Agents. He pointed out that some violations result from ignorance of the law rather than attempts to violate the law in minor violations. Some states have a practice of issuing courtesy citations for minor infractions in lieu of legal citations bearing penalties and fines.

Mr. Knowles asked that the Secretary direct its Enforcement Division to report back to this Commission on this matter at its April Meeting.

Mr. Riggs seconded Mr. Knowles motion. There was no discussion and no objection and the motion passed.

Mr. John D. Newsom, Assistant Secretary, was introduced at the meeting and Chairman Gilbert said they were delighted to have him and that he has known him for a long time.

Dr. Ted Ford had three requests for renewal of permits for fill material from the following:

Diez Dirt & Sand Hauling, Inc., for renewal of permit to remove fill material from the Amite River, 3/4 miles west of the Port Vincent Bridge, Ascension Parish, Louisiana.

Lone Star Industries, Inc., request for reassignment of permit from OKC Corporation to dredge fill material from St. Malo Channel, St. Bernard Parish, Louisiana.

Amite Acres, Inc., request for renewal of permit to remove fill material from the old Amite River.

Mr. Don Wille moved that the permits be granted and it was seconded by Mr. Charles Riggs. Motion carried.

Dr. Ted Ford discussed a proposed shrimp monitoring program from the coastline out to the three-mile limit from a biological standpoint. He also pointed out that finfish should be included in the program to study the abundance and whether or not a domestic market for finfish can be generated.

Chairman Gilbert recognized Mr. A. J. Buquet, former member of the Commission, in the audience. He served with distinction for many, many years, he said.

Mr. Kenneth Smith presented a resolution for the extension of continuation of closure of Lakes Prien, Moss and Charles to commercial fishing.

Mr. Knowles moved that the resolution be adopted. Seconded by Mr. Riggs. Motion passed.

Mr. Smith presented a resolution to close all impoundments during drawdowns to commercial netting with the concurrence of local lake commissions, police juries, or other state or parish agencies.

Mr. Jesse Knowles moved that the resolution be adopted and it was seconded by Mr. Orgeron. Motion passed.

Secretary Jesse J. Guidry awarded Wildlife Agent Duffy Gandy with the Shikar-Safari International Award for the year 1979-80.

Agent Duffy Gandy said he wanted to thank each and every person having a part in this award. It was a privilege to be a part of the Enforcement Division and he enjoyed his work.

Mr. Joe Herring presented a resolution pertaining to National Wildlife Week. Motion was made by Mr. Farrelly that the resolution be adopted. Seconded by Mr. Ducote. Motion passed.

Mr. Herring requested that the Commission accept the lease renewal on Union Parish Wildlife Management Area. Motion by Mr. Wille and seconded by Mr. Knowles. Motion passed.

Mr. Herring requested a cancellation of a lease of about 15 or 20 acres in West Bay Wildlife Management Area. Motion by Mr. Knowles and seconded by Mr. Wille. Motion passed.

Mr. John D. Newsom gave a report on the special antlerless deer season in a portion of the Atchafalaya Basin known as the Morganza Floodway.

Mr. John D. Newsom gave a report on steel shot and lead shot results from the waterfowl season as to the effectiveness and to study the difference in crippling loss that might exist between steel and lead shot.

Mr. Harry Schafer discussed the possibility of having a survey surcharge. The matter was referred to Committee and will be brought up at the next meeting.

Chairman Gilbert asked Mr. Schafer if there was still a moratorium on accepting new applications for new leases.

Mr. Schafer said there was a moratorium. On the 15 yr. limitations, we accept those applications for renewal and with the new law passed in September, if we do not survey those renewals within 60 days they will automatically become a lease effective January 1st of that year.

Mrs. Mary Mitchell discussed the feasibility of having the regular monthly Commission Meetings at various locations throughout the state every other month or once each quarter.

Mrs. Mitchell said the average cost per Commissioner in New Orleans is \$172 per month and other cities \$187 per month.

The big cost would not be for the Commissioners to travel to other cities but for the support personnel. The average cost for support personnel in New Orleans would be \$30 and in other cities the cost would be \$968.

Chairman Gilbert said he still felt it would be a good idea to have the meeting in other cities at least once each quarter and that expense would be approximately \$900 per meeting.

Mr. Wayne Ducote said Ray Montet, Enforcement Chief, has drawn up some new policies for adoption by the Commission for disposition of equipment, shotguns, game, fish, etc., confiscated in connection with enforcing the fish and game laws of our state.

Mr. Peter Duffy, Attorney, said the policies as drafted pretty much conform to the practices the Enforcement Division used in the past. Mr. Duffy said he thought the Commission has the authority under its policy-making authority to adopt the policies that would guide the Enforcement Division in how to dispose of game, seafood and equipment that is seized. The policies that have been prepared will prevent the build-up of storage of these items and will afford the most reasonable disposition of game and fish in an orderly fashion in accordance with the law.

Mr. Wayne Ducote moved that the resolution regarding these policies be adopted. Seconded by Mr. Farrelly. Motion passed.

Mr. Ducote said he would like to propose for Commission consideration a new policy for agenda and for matters to be heard before the Commission.

Mr. Wille asked Mr. Ducote to put his recommendations in writing and present it at the next Commission Meeting.

Mr. Wayne Ducote recommended Al Prechac be appointed a member of the Water Safety Committee of the Metropolitan New Orleans Safety Council to represent the Commission.

Mr. Bob Dennie discussed the possibility of implementing a new type pamphlet containing the hunting and fishing regulations. He thought the type we are now using is cumbersome and offered a new booklet-type to be used.

Chairman Gilbert assigned this subject matter to the Board Committee on Wildlife Management Areas.

Mr. Wille said he would like a meeting on this as soon as possible and come up with a recommendation at the next meeting.

Since there is to be a staff meeting in Baton Rouge on February 11th, he wanted to have a committee meeting at that time.

Mr. Don Wille made a motion that the Commission Members be authorized to attend the Symposium on Ducks Unlimited to be held in New Orleans, January 30th through February 2nd, 1981. Seconded by Mr. Riggs. Motion passed.

Mr. Peter Duffy spoke to the Commission about some land purchased by the Commission on December 28, 1960, known as the Russell Sage Game Management Area. Legal questions have been posed regarding the management of all the minerals and the status of those minerals that were not conveyed to the Department or the Commission at the time the land was acquired. He recommended that the Commission through the Department, the Secretary, engage special counsel that is competent in this field of law to decide on a course of action that will resolve the legal issues relating to the mineral use and development on Russell Sage Wildlife Management Area.

Chairman Gilbert recommended to the Commission that this matter be turned over to the Minerals Committee.

Mr. Knowles suggested that the Minerals Committee meet on February 11th in Baton Rouge, also.

Chairman Gilbert set the following Commission Meeting dates:

February 23 and 24, 1981.

March 23 and 24, 1981.

April 27 and 28, 1981.

Meeting adjourned.

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Minutes transcribed by
Jan Sommers